

UNITED STATES DISTRICT COURT
for the
District of Massachusetts

JOSE MARIA DECASTRO, an individual)	Case No. 1:22-cv-11421
)	
Plaintiff,)	PLAINTIFF’S MOTION FOR
)	DISCLOSURE
v.)	
)	
JOSHUA ABRAMS, an individual, et al.,)	
)	
Defendants.)	

PLAINTIFF’S MOTION FOR DISCLOSURE

Plaintiff Jose DeCastro (“Plaintiff” or “I”), hereby moves this Honorable Court to disclose
1) all *ex parte* communications concerning this action; 2) any personal bias or prejudice that this
Court has against Plaintiff; and 3) The answers to the two questions below.

1) Is Judge Burroughs a member of any law enforcement/police associations (including any
and all contributions and awards)?

2) What does Judge Burroughs know about Plaintiff in addition to the record for this
action?

In support of this motion, Plaintiff submits a memorandum of law, which is fully
incorporated herein.

FACTS

This Court’s order at ECF No. 47 states: “The court will not communicate with any party to
this litigation *ex parte* nor will it accept *ex parte* communications. Any communication received
from a party to this litigation will be placed on the public record.”

The transcript of the hearing at ECF No. 22 mentions communications from Todd Lyon to the court.

Due to these facts, this is not a baseless fishing expedition, but rather backed by evidence of the existence of *ex parte* communications that Plaintiff has not been party to, nor are these communications part of the record, nor has Plaintiff been able to respond to these communications.

POINTS AND AUTHORITIES

Pursuant to Code of Conduct for United States Judges Canon 3(A)(4) (2019), “A judge should accord to every person who has a legal interest in a proceeding, and that person’s lawyer, the full right to be heard according to law. Except as set out below, a judge should not initiate, permit, or consider *ex parte* communications or consider other communications concerning a pending or impending matter that are made outside the presence of the parties or their lawyers. If a judge receives an unauthorized *ex parte* communication bearing on the substance of a matter, the judge should promptly notify the parties of the subject matter of the communication and allow the parties an opportunity to respond, if requested.”

A judge must make disclosure on the record of circumstances that may give rise to a reasonable question about his impartiality, see *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 108 S. Ct. 2194 (1988) at 866, 868

DECLARATION

I declare under penalty of perjury, that the foregoing is true and correct.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)

The court has waived this local rule for the remainder of this action.

Dated: February 7, 2023

Respectfully submitted,

/s/ Jose DeCastro

Jose DeCastro

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Pro Se

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Jose DeCastro